

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SANDOZ INC. and RAREGEN, LLC,

Plaintiffs,

v.

UNITED THERAPEUTICS
CORPORATION and SMITHS
MEDICAL ASD, INC.,

Defendants.

Case No. 3:19-cv-10170-BRM-LHG

ORDER

THIS MATTER is opened to this Court by Defendant United Therapeutics Corporation's ("UTC") Motion to Dismiss Count 7 of Plaintiff Sandoz Inc.'s ("Sandoz") Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). (ECF No. 179.) Sandoz opposes the Motion. (ECF No. 184.) Having reviewed the submissions filed in connection with the Motion and having declined to hold oral argument pursuant to Federal Rule of Civil Procedure 78(b), for the reasons set forth in the accompanying Opinion and for good cause shown,

IT IS on this 18th of November 2020,

ORDERED that Defendant's Motion to Dismiss (ECF No. 179) is **DENIED**; and it is further

ORDERED that the parties shall submit a joint proposed redacted version of the Opinion by December 2, 2020, via email to njdnef_Martinotti@njd.uscourts.gov for review by the Court to be publicly filed.

/s/ *Brian R. Martinotti*
HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE